
FUNDING REQUEST / WORK PLAN
for CERCLA Section 128(a) State or Tribal Response Program
Federal Fiscal Year (FY) of Funding: 2019
Period of Performance: October 1, 2018 to September 30, 2019
last revised/submitted: November 21, 2017

Point of Contact: Cynthia Macias 775-773-2306 ext. 314, cassistant26@gmail.com

Duns number: 0995292400000

TOTAL AMOUNT REQUESTED: \$73,445.35

The U.S. Environmental Protection Agency's (Agency's) Strategic Plan supports the State and Tribal Response Program through **GOAL 3: Cleaning-Up Communities and Advancing Sustainable Development** and **Objective 3.1 Promote Sustainable and Livable Communities**.

Program Results Code: 301D24

CFDA: 66.817 State and Tribal Response Program Grants

1. OBJECTIVE:

The Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA) was signed into law on January 11, 2002. The SBLRBRA amends the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, by adding Section 128(a). Section 128(a) authorizes a grant program awarded and administered by the United States Environmental Protection Agency (USEPA) to establish and enhance state response programs that address the assessment, cleanup, and redevelopment of brownfields sites and other contaminated sites as defined by the law. The primary goal of this funding, as defined in the yearly *Funding Guidance for State and Tribal Response Programs*, is to "ensure that state and tribal response programs include, or are taking reasonable steps to include, certain elements of an environmental response program and that the response program establishes and maintains a public record of sites addressed." The secondary goal of the funding as defined by the guidance is to support development of a public record, as defined in Section 128(b)(1)(C).

On November 25, 2003, the USEPA published in the Federal Register, Document number EPA 500-F-04-002, the Notice of Grants Funding Guidance for State and Tribal Response Programs. To be eligible for funding under Section 128(a), and as described in the guidance, a state or tribe must demonstrate that their response program includes, or is taking reasonable steps to include the following **four elements of a response program**:

- (1) Timely survey and inventory of brownfield sites in state or tribal land;
- (2) Oversight and enforcement authorities or other mechanisms and resources to ensure that a response action will protect human health and the environment and be conducted in accordance with applicable laws, and that a tribe will complete the response action (including long-term operations and maintenance/monitoring) if the person completing response fails to do so;
- (3) Mechanisms and resources to provide meaningful opportunities for public participation; and
- (4) Mechanisms for approval of a cleanup plan and verification and certification that cleanup is

complete.

In addition, states and tribes must establish and maintain a **public record** system that provides a mechanism for meaningful public participation (see Element 3 above). Specifically, the public record must meet the following:

- Be maintained and updated at least annually;
- Include the name and location of sites at which response actions were completed in the previous year;
- Include the name and location of sites at which response actions are planned in the next year; and
- Identify whether or not the site, upon completion of the response action, will be suitable for unrestricted use. If not, the public record must identify the institutional controls relied on in the remedy and include relevant information concerning the entity that will be responsible for oversight, monitoring, and/or maintenance of the institutional and engineering controls; and how the responsible entity is implementing those activities.

2. OVERALL STATE OR TRIBAL RESPONSE PROGRAM GOALS:

The Walker River Paiute Tribe is a federally recognized Tribe in Nevada. The reservation was established in 1874 by Executive Order and is under the General Allotment Act of 1887. Before that time, the original Agai-Dicutta “Trout Eaters” Paiute were to be displaced along with other Bands to the Pyramid Lake Reservation.

The Walker River Paiute Reservation is located within three counties in rural Midwestern Nevada about 100 miles southeast of Reno, Nevada with the population of over 1,200 residing within the boundaries of the Walker River Paiute Tribe. The land base consists of about 325,000 acres in a river valley, mostly used for grazing and some ranching. The present Reservation encompasses a high desert land base and is surrounded by mountains, desert lakes, and marshland/wetlands. The current Reservation was a traditional wintering ground for the Walker River Paiute Numu (people) due to the mild winters. The Numu (people) then migrated back to the Sierras for summer camps. The riparian areas of the Reservation have mostly been converted to farm land with alfalfa being the major crop. The only town on the Reservation is Schurz, Nevada where the intersection of U.S. Highway 95 and 95-A (major routes running north and south) meet. Fallon, Nevada is 39 miles North, Yerington, Nevada is 25 miles west and Hawthorne, Nevada is 33 miles to the South.

The mission of the Walker River Paiute Tribe is to maintain our Agai Dicutta heritage while carrying it into the future. The Tribe is dedicated and committed to advocating and protecting Tribal sovereignty, community self-determination and self-sufficiency. The Walker River Tribe shall foster the ideal of committed leadership for environmental justice and strive to promote, preserve, and protect the quality of life for Tribal members

The long term goal of this project is to redevelop environmentally compromised properties on the Walker River Paiute Reservation and participate in Brownfields Programs in the traditional range of the Tribe. The Brownfield program will work with existing EPA GAP, 106, TREN, and 319 programs to inventory and prioritize sites. The proposed project will benefit from these long running programs and the data they have generated.

Funding is being requested to meet the following objectives of the 2019 program:

1. Develop procedures for identifying and inventories of prospective brownfield sites.
2. Our tribe will develop ordinances/laws and regulations for brownfield sites. We will focus on the development of noted issues in our plans for the future redevelopment of land for reuse. Our tribe is interested in the increased training of personnel as we build our program capacities within the housing and economic development of future land sites for that purpose. The second year funding will be focused on updating and completing assessments.
3. Our plan includes collection of data from our other tribal programs and, along with training, improved skills of staff, some field work, and inventorying brownfield sites.
4. Prioritize brownfield sites that will meet specific goals of redevelopment sites for enhancing tribal development.
5. Connect with other regional brownfield programs for data sharing and projects crossing Reservation boundaries
6. Develop Tribal Ordinances to support brownfield procedures, record storage, and assessment

3. ELIGIBILITY REQUIREMENTS FOR FUNDING:

A. THE FOUR ELEMENTS OF A RESPONSE PROGRAM

1. TIMELY SURVEY AND INVENTORY OF BROWNFIELDS SITES:

Upcoming year (second year of proposed funding): A number of sites are known to the Tribal environmental program will be catalogued and mapped using 2017 funding. Surveys will continue and data collected during public outreach will be used to identify new locations and resources such as EDR used. Partnering opportunities with regional Brownfields Programs will be developed to collect data on Reservation and near Reservation sites known to them, ones in the nearby watershed and others near cultural and historic sites of interest to the Tribe and pursue funding for remediation. Phase I and II assessment will be scoped and, if funding allows, done on high priority sites.

2. OVERSIGHT AND ENFORCEMENT AUTHORITIES OR OTHER MECHANISMS AND RESOURCES:

Upcoming year: Continue Brownfields as a program and activity to Tribal Council and develop procedures for the following:

- a. Scope and potential conduct ASTM Phase I and Phase II site assessments, EPA targeted Brownfields assessments, or other relevant environmental agency assessment and cleanup opportunities on high priority sites.
- b. Update and submit technical State or Tribal Response Program (STRP) policies and procedures that describe how the tribe will ensure that environmental assessments and cleanups are conducted in a lawful manner and protect human health and the environment.
- c. Continue inclusion of brownfields in land planning; creating Tribal Ordinances, environmental assessment laws, insuring proper management of brownfield identification, record keeping, assessment and reuse.

3. MECHANISMS AND RESOURCES TO PROVIDE MEANINGFUL OPPORTUNITIES FOR PUBLIC PARTICIPATION:

Upcoming year: Public participation will include the following:

- a. Quarterly reporting to public Tribal Council meetings
- b. Update the brownfield section on the Tribal website to list identified sites and status if the Tribe has a working website
- c. One brownfield public meetings to review possible action/assessments and prioritize the sites (Council meetings are open to the public and provide four additional public outreach events)

4. MECHANISMS FOR APPROVAL OF A CLEANUP PLAN AND VERIFICATION AND CERTIFICATION THAT CLEANUP IS COMPLETE:

Upcoming year: The goal for the second year it to use the data accumulated on sites and begin utilizing the appropriate and standardized verification and certification procedures.

Specific activities will include:

- a. Develop cleanup plans for priority sites
- b. Begin addressing priority sites that are also pilot studies of established procedures
- c. Continue improvements on procedures for conducting brownfields outreach activities through fliers, email, website, radio, public meetings, et cetera.

B. ESTABLISH/MAINTAIN PUBLIC RECORD

Standardized procedures for the tribe collecting and storing data will need continued update of the current policy, ordinances and guidance's for the brownfield funding.

Has a public record been established that satisfies the requirements of CERCLA section 128(b) (1) (C)?

Yes, the tribe has established approval and public record is administratively complete. Public Record is established with our governing body.

Date of last response: The Walker River Paiute Council previously approved Resolution Number WR-35-2010 signed by Tribal Secretary on 8th day of March, 2010. The tribe obtained funding for CERCLA Superfund funds and our plan is to provide an updated resolution for public record, should funding be made available in the first quarter of the cycle.

How is the record accessible to the public? Public Records are accessible to public through the Executive Secretary of the Walker River Paiute Tribe's office.

c. OTHER USES FOR 128(A) FUNDING:

This second year of funding will be used to refine the program with continued development of solid guidelines and procedural activities such as working with regional brownfield programs. We have had several EPA site visits checking the possible brownfield sites over the past two years that hopefully will correspond to our priority sites. Our deliverables will be reported and possibly the need for MOU's will be possibly considered.

5. WORK PLAN ACTIVITIES

TABLE 1. STRP WORK PLAN TASKS AND ACTIVITIES

TASKS	Anticipated Outputs/deliverables	Due Date	Date Submitted/Status/ Completed (to be used by EPA P.O. and/or Recipient post-award)
TASK 1: CAG Management (\$23,597.48)			
Prepare and submit quarterly progress report (QPR) #1	QPR #1	1/31/19	
Prepare and submit QPR #2 and success story	QPR #2 with story	4/31/19	
Prepare and submit QPR #3	QPR #3	07/31/19	
Prepare and submit QPR #4 / Final Progress Report (FPR)	QPR #4/FPR	10/31/19	
Attend (TBD) training/conference /workshop to build knowledge of BFs, STRP management, environmental assessment, and cleanup actions, etc.	-Trip report (agenda, written report of what was learned, people met, and how knowledge will be shared) -Certificate of attendance, when available.	Quarter event occurs	
Update the administrative TRP manual (policies and procedures) related to travel, working hours, tracking and disbursing CAG/grant funds, contractor procurement, supplies/equipment management, etc.	Administrative STRP manual	09/31/19	
Maintain a weekly/monthly work log of what you have been doing	Word document, email, etc. with record of activities	1/31/19	

TASK 2: Establish and Enhance Four Elements, and Establish and Maintain Public Record (\$22,855.49)			
<i>Element/Activity 1: Timely survey and inventory of brownfield sites</i>			
TASKS	Anticipated Outputs/deliverables	Due Date	Date Submitted/Status/ Completed (to be used by EPA P.O. and/or Recipient post-award)
Update website and tracking system (Excel, paper files, etc.) with estimated or known BF sites.	List of sites (Excel spreadsheet, website, scans of hard copies, etc.)	09/30/19	
Provide an update on the program and get input from community members on locations of possible of BF sites; visit state environmental agency website for contaminated sites.	-Meeting agenda -Meeting notes -Fliers (if posted)	04/31/19	
Additional site surveys	Reports and site records	09/30/19	
Meet with Regional Brownfield programs to research collaboration opportunities	Meeting notes/agendas/sign in sheets Data on additional sites of interest	09/30/19	

<i>Element/Activity 2: Oversight and enforcement authorities or other mechanisms and resources to ensure response actions are protective</i>			
Scope and, as funding allows, conduct ASTM Phase I and Phase II site assessments, EPA targeted brownfields assessments, or other relevant environmental agency assessment and cleanup opportunities.	Written record (track in an email, Word file, etc.) of files reviewed and conversations held.	07/30/19	
Update and submit technical STRP policies and procedures changes that describe how the tribe will ensure that environmental assessments and cleanups are conducted in a lawful manner and protect human health and the environment.	Technical STRP policies and procedures	09/30/19	
Continue to develop environmental code/laws and procedures for adopting and updating them.	-environmental codes/laws -Procedures for adopting/updating	09/30/19	

***Element 3/Activity 3:
Mechanisms and resources to
provide meaningful
opportunities for public
participation***

TASKS	Anticipated Outputs/deliverables	Due Date	Date Submitted/Status/ Completed (to be used by EPA P.O. and/or Recipient post- award)
Quarterly reporting to public Tribal Council meetings	Written procedure	01/31/19 04/30/19 07/31/19 09/30/19	
Update section on the existing Tribal website that lists identified sites and status	Website entry	09/30/19	
One brownfield public meeting, to allow residents to review possible sites and provide input on historic land use and review progress	-Meeting agenda -Meeting notes -Fliers (if posted)	04/30/19	

***Element 4/Activity 4:
Mechanisms for approval of a
cleanup plan and verification
and certification that cleanup***

<i>is complete</i>			
Review relevant environmental agency cleanup websites and talk with personnel to continue to refine cleanup process for contaminated sites.	Written record (track in an email, Word file, etc.) of files/websites reviewed and conversations held.	3/30/19	
Develop first clean up plan(s)	Written procedure	9/30/19	
Develop a procedure to certify that a cleanup is complete.	Written procedure	09/30/19	
Document the most effective outreach activities through fliers, email, website, radio, public meetings, etc.	Written procedure	4/31/19	

<i>Public record: maintain and update at least annually to support public participation</i>			
Update a public record that lists name and location of sites where 1) responses actions were conducted in prior year (as applicable), 2) response actions will be conducted in the coming year, 3) completed response actions have occurred and the site is available for unrestricted use, and 4) response actions have occurred but the sites are not clean enough for unrestricted use and therefore require institutional controls (ICs). For the latter, describe the ICs and who is responsible for them.	Copy of public record (file, website, etc.)	07/31/2019	
Annual update of public record	Copy of updated public record (file, website, etc.)	9/30/19	
Update procedure for instituting and maintaining ICs.	Written procedure	9/30/19	

TASK 3: Site-Specific Work / Other (\$26,992.38)			
From BF site inventory, identify candidate sites for reuse and start work plans	Work plans	01/31/19	
Update current Quality Assurance Project Plans (QAPPs) for environmental data collection for Brownfield.	QAPP amendments as developed	9/30/19	
Scope of work for Phase I and Phase II assessments	Scope of work, results of assessments	9/30/19	

6. RESULTS OF ACTIVITIES (OUTPUTS):

TABLE 2. LIST OF DELIVERABLES BY DATE

Quarter	Outputs/Deliverables (can be modified to semi-annual reporting if approved by your project officer)	Due Date
First quarter	-Quarterly Progress Report #1 [and any Trip Reports] Public record with procedures Meeting notes and agendas from Council presentation	01/31/19
Second quarter	-Quarterly Progress Report #2 with success story [and any Trip Reports] -Site inventory established/updated within the CAG period -Other deliverables [please list by name]	04/31/19
Third quarter	-Quarterly Progress Report #3 [and any Trip Reports] -Site inventory established/updated within the CAG period -Updated TRP manual -Updated site Tracking system and website online -Notes from public meeting	07/31/19
Fourth quarter	-Quarterly Progress Report #4 / Final Progress Report [and any Trip Reports] -Federal Financial Report -Site inventory established/updated within the CAG period -Draft codes and SOPs (if updated) - Work plan(s) and results	10/31/19

6. PROJECTED ENVIRONMENTAL IMPROVEMENT (OUTCOMES):

Apply brownfield management capacity within the Tribal administration and, working with the community; continue to identify potential sites and the best management practices. Create the first work plan(s) and initiate assessment.

7. QUALITY ASSURANCE:

Will environmental data be collected under this agreement? (Yes) We will be capturing data which will be unique to our tribal needs of our organization throughout our first year with this project.

Do you have an approved Quality Management Plan? (YES) Our second year we intend on continue tracking and reporting our changes to the present quality system deliverables we have and how we will improve them Development of checklist to determine the data has no constraints affecting their use in the new project decision support. The tribe will scrutinize quality assurance data/information for quality concerns pertinent to the intended use.

Do you have a current Quality Assurance Project Plan (QAPP) for any environmental data collection activities? (Yes, for other Tribal programs) Data from other environmental programs will be used. All data used from other Tribal programs was collected using an EPA approved QAPP. Our individual tribal assessment for our policies and guidelines will assure the project capacity building is on target.

QAPP amendments may be developed if needed.

8. REMAINING FUNDING ON EXISTING GRANTS

**TABLE 3. REMAINING FUNDING IN ALL OPEN
TRP COOPERATIVE AGREEMENTS**

Agreement Number	Remaining Funds (\$)	Describe the status of prior year TRP funds and how these remaining funds will be used.
FY17 128(a) Funds 70,000.000	\$55,983.63	We are in the Current year of FY 2017, The remaining funds will be used to complete assessments.
Total (\$):	\$0.00	

7. CURRENT FUNDING REQUESTED with narrative discussing the basis of the costs: \$73,445.35

TABLE 4. BUDGET SUMMARY

Category	TASK 1 CAG Planning and Management	TASK 2 Establish & Enhance the Four Elements, and Establish and Maintain Public Record	TASK 3 Site-Specific Work / Other Activities	TOTAL (\$) (add across)
Personnel	\$8,840.00	\$8,840.00	\$8,840.00	\$26,520.00
Fringe Benefits	\$3,102.84	\$3,102.84	\$3,102.84	\$9,308.52
Travel	\$1,333.33	\$1,333.33	\$1,333.34	\$4,000.00
Supplies	\$1,500.00	\$500.00	\$700.00	\$2,700.00
Contractual	\$5,088.61	\$6,000.00	\$5,000.00	\$16,088.61
Construction				\$0.00
Other			5,000.00	\$5,000.00
Indirect 22.25%	\$3,732.70	\$3,079.32	\$3,016.20	\$9,828.22
TOTA	\$23,597.48	\$22,855.49	\$26,992.38	\$73,445.35

Task 1 covers planning and general administrative costs that are not specific to one program element. Task 2 covers work related to the four key elements and development/maintenance of the Public Record. Task 3 generally covers assessment or cleanup work at a specific property, or other TRP work such as creating a revolving loan fund or obtaining environmental insurance.

Personnel and Fringe: One full time position in the Environmental office at the current fringe rate. The new employee will report to the Environmental Director.

Travel: Travel is for 1 or more training events, on reservation travel to assess sites, and local travel for meeting with other agencies and project contacts, and to Brownfields training if budget allows.

Supplies: Some field supplies-boots, hardhat, safety vest, safety glasses. Office Supplies-ink, power strips, extension cords, paper, file folders, hanging file holder, file cabinet, binders, etc... Field equipment to include soil and water sampling equipment (Task 3).

Contractual: The Tribe will use a consultant to assist with managing the program, provide site assessment required for prioritization and develop procedures and ordinances. The consultant will be contracted by the Tribe and paid from the Brownfields program grant, provide a consultant's

work plan based on the tasks from the work plan and provide updates consistent with project reporting. Contractual Budget will include all travel and equipment expenses for the Consultant.

Indirect Rate: The current negotiated rate for the Tribe which is 22.25%.

Other: Estimated analytical costs for Phase II site assessments and other assessment needs. QAPP modifications will be done as needed.

10. GREENING GRANTS POLICY COMPLIANCE

In accordance with Sustainable EPA Region 9 Greening Grants Policy Measures and Practices, Walker River Paiute Tribe would like to report inclusion of the following green measures and practices into their FY 2018 grant work plan

Overall Objective: Walker River Paiute Tribe will participate in going green for the environment and health of the community. By learning and communicating with community members on how to purchase, recycle and save energy on the Walker River Paiute Tribe.

- I. **Environmentally Preferable Purchasing**
Recipient will commit to purchasing only energy saving equipment that will be a need for the program.
- II. **Materials Management: Resource Conservation and Green Disposal**
 - Recipient will utilize material collection in the office for all recyclables used in the office including paper, plastics, glass, and aluminum. Recipient will provide % of recyclables collected in pounds of material in each reporting period.
 - Recipient will recycle all printer cartridges and purchase only re-fillable printer cartridges. Recipient will set duplex printing (two-sided) as defaults on all capable printers. Recipient will report the number % of printer cartridges recycled and purchased in each reporting period.
- III. **Green Conferences/Meetings and Alternatives to Traditional Travel**
 - Saving money and saving time, WRPT will attend hosted webinars and telephone conference calls. Unless it is absolutely needed for the department. Training documents will be electronically
- IV. **Energy Efficiency/Clean Energy**
 - Recipient will strive to reduce kWh for the project by _20_% by using automatic shut-down for office equipment and lighting, and using energy efficient lights.
- V. **Green Building and Construction Practices**
 - _50_% of the equipment used by Recipient to clean-up/remediate _contaminated_ sites will have either diesel particulate filters or diesel oxidation catalysts installed.